

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Clean Indoor Air Act is amended by  
5 changing Section 11 as follows:

6 (410 ILCS 80/11) (from Ch. 111 1/2, par. 8211)

7 Sec. 11. Home rule and other local regulation.

8 (a) Except as provided in subsection (b), any ~~a~~ home rule  
9 unit of local government, ~~or~~ any non-home rule municipality, or  
10 any non-home rule county within the unincorporated territory of  
11 the county in this State may regulate smoking in public places,  
12 but that regulation must be no less restrictive than this Act.  
13 This subsection (a) is a limitation on the concurrent exercise  
14 of home rule power under subsection (i) of Section 6 of Article  
15 VII of the Illinois Constitution.

16 (b) Any home rule unit that has passed an ordinance  
17 concerning the regulation of smoking prior to October 1, 1989  
18 is exempt from the requirements of subsection (a).

19 (c) In addition to any regulation authorized under  
20 subsection (a) or (b) or authorized under home rule powers, any  
21 home rule unit of local government, any non-home rule  
22 municipality, or any non-home rule county within the  
23 unincorporated territory of the county may regulate smoking in  
24 any enclosed indoor area used by the public or serving as a  
25 place of work if the area does not fall within the definition  
26 of a "public place" under this Act.

27 (Source: P.A. 94-517, eff. 1-1-06.)

28 Section 99. Effective date. This Act takes effect upon  
29 becoming law.